

REMARKS

Reconsideration of the present application, as amended, is respectfully requested. The application, as amended, includes claims 1, 4-25 and 44-64, pending and under consideration.

As an initial matter, the Examiner has asserted a restriction requirement, identifying Group I as including claims 1-25 and Group II as including claims 26-43. Applicant hereby confirms the election made on May 22, 2003 during a telephone conversation with the Examiner, to prosecute the claims of Group I. As such, Applicant hereby cancels claims 26-43 of non-elected Group II, without prejudice to the pursuit thereof in a continuing application.

Applicant acknowledges and thanks the Examiner for the indication in the outstanding Office Action that claims 3-5, and 7-25 recite allowable subject matter. The Action states under the heading "Allowable Subject Matter" that these claims are "objected to as being dependent upon a rejected base claim, but would allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." It is believed that the subject matter indicated in the Action to be allowable is in condition for allowance upon entry of the present amendments and new claims, as explained further below. In addition, it is believed that this objection is inapplicable to claims 9 and 19, which are already in independent form, and claims 10-18 and 20-25, which depend therefrom. It is therefore believed that the inclusion of claims 9-25 in this objection resulted from inadvertent error.

The sole outstanding substantive issue in this case is a rejection of claims 1, 2, and 6 under 35 U.S.C. §102(b) as being anticipated by Sodemann, U.S. Patent No. 6,166,007. Without acquiescing in the rejection of claims 1, 2 and 6, Applicant has above presented claim amendments that are believed to overcome this rejection by placing the claims in a form

AMENDMENT AFTER FIRST OFFICE ACTION

Serial No. 09/763,666

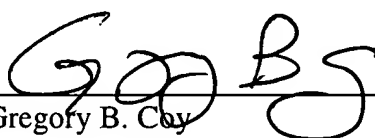
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whereby the claims, as amended, only recite subject matter of non-rejected claims. More particularly, claim 1 has been amended to recite the subject matter previously recited in non-rejected claim 3; claim 2 has been cancelled; dependent claim 6 now depends from amended claim 1; new independent claim 44 recites subject matter previously recited in non-rejected claim 5; new independent claim 51 recites subject matter previously recited in non-rejected claim 7; and new independent claim 57 recites subject matter previously recited in non-rejected claim 8. As such, each independent claim presented in the present application, as amended, (claims 1, 9, 19, 44, 51 and 57) recites subject matter indicated in the outstanding Action to be allowable. In addition, each dependent claim is believed to be allowable for multiple reasons, including, but not limited to the fact that they depend from allowable independent claims. Applicant therefore submits that the rejection under Section 102(b) is moot.

In view of the above, Applicant respectfully submits that the rejection stated in the outstanding Action is overcome and that the present application, as amended and including claims 1, 4-25 and 44-64, is in condition for allowance. Action to that end is respectfully requested. If there are any remaining issues that can be addressed telephonically, the Examiner is invited to contact the undersigned to discuss the same.

Respectfully submitted:


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